

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

H. H. HOLDINGS, INC., *et al.*,

Plaintiffs,

vs.

FREMONT HOTEL AND CASINO
 AUDIT DEPT., *et al.*,

Defendants.

Case No.: 2:12-cv-01934-GMN-GWF

**ORDER ACCEPTING FINDING AND
 RECOMMENDATION OF MAGISTRATE
 JUDGE GEORGE FOLEY, JR.**

Previously before the Court was Plaintiffs' Application to Proceed *in Forma Pauperis* (ECF No. 1) ("Application"), filed on November 9, 2012. In Magistrate Judge Foley's Order rendered on November 15, 2012, he denied Plaintiffs' Application because Plaintiffs failed to attach the required financial affidavit, therefore making it unable to assess Plaintiffs' ability to pay the filing fee. (ECF No. 2). The Court advised Plaintiffs that failure to provide a complete application or to pay the filing fee by December 15, 2012, would result in a recommendation that Plaintiffs' Complaint (ECF No. 1-2) be dismissed. Plaintiffs failed to submit a complete application to proceed *in forma pauperis* or to pay the filing fee by December 15, 2012.

Pending before the Court is the Finding and Recommendation (ECF No. 5) of the Honorable George Foley, Jr., United States Magistrate Judge, entered on January 4, 2013.

Pursuant to Local Rule IB 3-2(a), objections were due by January 21, 2013. No objections have been filed. In accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 1-4, the Court has reviewed the record in this case and has determined that Magistrate Judge Foley's Recommendation should be **ACCEPTED**.

IT IS THEREFORE ORDERED that Plaintiffs' Complaint (ECF No. 1-2) is hereby

1 **DISMISSED without prejudice**, for failure to submit a complete application to proceed *in*
2 *forma pauperis* or pay the filing fee by December 15, 2012.

3 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment
4 accordingly.

5 **DATED** this 25th day of June, 2013.

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9 Gloria M. Navarro
United States District Judge
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